

Settlement/Hearing: March 20<sup>th</sup>, 2019  
Time: 10:00 A.M. .

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

IN RE:

KAREN T. BELTRAN,

Debtor(s)

-----x

Chapter 13  
Case No. 17-22419 RDD

**NOTICE OF SETTLEMENT**

**PLEASE TAKE NOTICE**, that an *Order*, a true copy of which is annexed hereto, will be presented for signature to the Hon. Robert D. Drain, United States Bankruptcy Judge, on the 20<sup>th</sup> day of March, 2019 at 10:00 A.M. at the United States Bankruptcy Court, 300 Quarropas Street, White Plains, New York.

Hearings on Objections, if any, to be conducted same place, date and time. Written objections or counterorders must be submitted to chambers by no later than close of business *three (3) days prior* to settlement.

Dated: White Plains, New York  
February 21<sup>st</sup>, 2019

/s/Krista M. Preuss  
**Krista M. Preuss(KMP7299)**  
**Chapter 13 Trustee**  
**399 Knollwood Road**  
**White Plains, New York 10603**  
**Chapter 13 Tel. No. 914-328-6333**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- -x

IN RE:

Chapter 13

Case No. 17-22419 RDD

KAREN T. BELTRAN,

Debtor(s)

----- -x

**ORDER DISMISSING CHAPTER 13 CASE**

The chapter 13 trustee having moved, on due notice, for an order dismissing this chapter 13 case, and, upon the motion and the record of the March 20, 2019 hearing thereon, the Court having found that the above-captioned debtor has failed to comply with 11 U.S.C. 1307(c)(1) and (c)(4) and 11 U.S.C. §521(i) and (e)(2)(A)(i), having created unreasonable delay that is prejudicial to creditors, in that the debtor failed to remit timely proposed chapter 13 plan payments to the trustee, failed to provide the required documentation, in part, current and updated payment advices and evidence of other payments received within 60 days, inclusive of monthly business operating statements for the rental business; and Federal and New York State tax returns for certain of the most recent tax years; and the Court also having found that the debtor's plan is not feasible and that the debtor is unable to confirm a plan; and good cause appearing,

**IT IS ORDERED THAT:**

This chapter 13 case is hereby dismissed. The chapter 13 trustee shall take all actions required by the dismissal of this case.

Dated: White Plains, New York  
March , 2019

---

**UNITED STATES BANKRUPTCY JUDGE**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

----- -x

IN RE:

Chapter 13  
Case No. 17-22419 RDD

KAREN T. BELTRAN,

APPLICATION

Debtor(s)

----- -x

**TO THE HONORABLE ROBERT D. DRAIN, BANKRUPTCY JUDGE:**

KRISTA M. PREUSS, Standing Chapter 13 Trustee, respectfully represents:

1. The debtor filed a Chapter 13 proceeding on March 21<sup>st</sup>, 2017.
2. A hearing on confirmation was held on February 13<sup>th</sup>, 2019.
3. The debtor failed to comply with the provisions of 11 U.S.C. §1307(c)(1) and (c)(4).
4. The debtor is in violation of 11 U.S.C. §521(i) of the Bankruptcy Code which requires the debtor to file , in part, current and updated payment advices and evidence of other payments received, inclusive of monthly business operating statements for the rental business.
5. The debtor is in violation of §521(e)(2)(A)(i) of the Bankruptcy Code which requires the debtor to provide copies of federal and state tax returns for certain of the most recent tax years, to wit, 2017.
6. The debtor failed to remit timely proposed plan payments to the trustee, having remitted ten payments, and being, at this juncture, twelve month(s) in arrears, or the sum of \$11,544.00.
7. At the aforesaid confirmation hearing held on February 13<sup>th</sup>, 2019, the debtor's case demonstrated infeasibility and an inability to confirm.
8. The delay created by the debtor is prejudicial to creditors.

**WHEREFORE**, the trustee respectfully requests that the annexed order dismissing this case be signed.

Dated: White Plains, New York  
February 21<sup>st</sup>, 2019

/s/ Krista M. Preuss  
**Krista M. Preuss**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE:

Chapter 13

Case No. 17-22419 RDD

KAREN T. BELTRAN,

Debtor(s)

-----X

**Certificate of Service**

Lois Rosemarie Esposito duly certifies:

I am not a party to the action herein, I am over the age of 18 years and reside in the County of Westchester, State of New York.

On February 21<sup>st</sup>. 2019 I served a true copy of the within document, to the herein listed parties at the address(es) designated for that purpose, by mailing same in a properly sealed envelope with postage prepaid thereon, in an official depository of the United States Postal Service within the State of New York to the following:

Karen T. Beltran  
60 Truman Avenue  
Yonkers, New York 10703

Wendy Marie Weathers, Esq.  
Cabanillas & Associates, PC  
120 Bloomingdale Road # 400  
White Plains, New York 10601

Nissan Infiniti, LT  
P.O. Box 660366  
Dallas, Texas 75266

Deutsche Bank National Trust Company  
c/o Specialized Loan Servicing, LLC  
8742 Lucent Blvd. #300  
Highlands ranch, Colorado 80129

Gustavia Home, LLC  
c/o SN Servicing Corp.  
323 5<sup>th</sup> Street  
Eureka, California 95501

NYS Department of Taxation & Finance  
Bankruptcy Section  
P.O. Box 5300  
Albany, New York 12205

/s/ Lois Rosemarie Esposito  
**Lois Rosemarie Esposito**